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PATENT & TRADEMARK OFFICE

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REJECTION OVER A PENDING "REFERENCE" APPLICATIONDocket Number (Optional)
2001-0445.00

In re Application of: David Allen Crutchfield, et al.

Application No.: 09/896,975

Filed: June 29, 2001

METHOD AND APPARATUS FOR EFFECTING SYNCHRONOUS
PULSE GENERATION FOR USE IN VARIABLE SPEED SERIAL COMMUNICATIONS

The owner, Lexmark International, Inc., of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term of any patent granted on pending reference Application Number 09/839,782, filed on May 16, 2001, as such term is defined in 35 U.S.C. 154 and 173, and as the term of any patent granted on said reference application may be shortened by any terminal disclaimer filed prior to the grant of any patent on the pending reference application. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and any patent granted on the reference application are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 and 173 of any patent granted on said reference application, "as the term of any patent granted on said reference application may be shortened by any terminal disclaimer filed prior to the grant of any patent on the pending reference application." In the event that any such patent granted on the pending reference application expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is released, or is in any manner terminated prior to the expiration of its full statutory term as shortened by any terminal disclaimer filed prior to its grant.

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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1010 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

2. The undersigned is an attorney or agent of record. Reg. No. _____



Signature

11/24/06
Date

D. Brent Lambert, Chief Patent Counsel, Lexmark International, Inc.

Typed or printed name

859-232-7845

Telephone Number

Terminal disclaimer fee under 37 CFR 1.20(d) is included.

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of)
 David Allen Crutchfield, et al.) Group: 2637
 Serial No.: 09/896,975)
 Filed: June 29, 2001)
 Title: METHOD AND APPARATUS FOR EFFECTING)
 SYNCHRONOUS PULSE GENERATION FOR USE IN)
 VARIABLE SPEED SERIAL COMMUNICATIONS) Examiner: J. Meek

LETTER

MS AF
 Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

Sir:

Applicant hereby submits a Terminal Disclaimer in the above-identified patent application disclaiming the terminal part of any patent granted on the above-identified patent application which would extend beyond the expiration date of U.S. Patent Application Serial No. 09/859,782.

A check in the amount of \$130.00 as provided by 37 C.F.R. 1.20(d) is submitted with this Terminal Disclaimer. If any additional fee is required, please charge to Account No. 20-0095, Taylor & Aust, P.C.

Respectfully submitted,

Paul C. Gosnell
 Paul C. Gosnell
 Registration No. 46,735

Attorney for Applicant

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to:
 Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450,
 on: January 27, 2006.

Paul C. Gosnell, Reg. No. 46,735

Name of Registered Representative

Paul C. Gosnell

Signature

January 27, 2006

Date

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